



Judicial Council of California

Administrative Office of the Courts

Trial Court Financial Policies and Procedures

Procedure No.
Page

FIN 4.03
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POSITION MANAGEMENT

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Position Management

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2.0 Purpose

The purpose of this policy and procedure is to establish policies for the establishment of new court positions and the abolishment of continuously vacant positions or vacant positions that are unfunded or no longer required on a workload basis; and establish procedures for managing trial court positions. (Note: Policies and procedures related to the creation and reclassification of Subordinate Judicial Officer (SJO) positions are not addressed in this policy.)

3.0 Policy Statement

1. Position Creation/Reclassification

Each court has the authority and discretion to establish or reclassify non-judicial positions as needed to meet workload demands, subject to the following conditions



- a. Permanent positions may only be established or reclassified to the extent that ongoing resources are available. These resources may include any excess ongoing funding as a result of a redirection after ensuring there is sufficient funding for all other ongoing obligations.
- b. Limited-term positions may be established with limited-term funding.

2. Position Abolishment

Trial courts shall annually review all vacant authorized positions and identify for abolishment vacant positions that meet the following criteria:

- a. Any position that becomes vacant and cannot be filled due to permanently insufficient resources, or for which there is no longer a workload demand.
- b. Any position that has been vacant for one entire fiscal year and will not be filled in the coming fiscal year. (Note: Reassignment of position numbers does not abolish a long-term vacancy and does not constitute sufficient justification to maintain the vacancy as an authorized position.)

Note: If a position is vacant due to circumstances such as leave-of-absence, or any other factors that necessitate a temporary vacancy, and the court has the funding and the intention to fill it, the position should not be abolished.

3. Funding Related to Abolished Positions

The Administrative Office of the Courts (AOC) will not reduce funding to trial courts as a result of court abolishment of vacant positions in compliance with this policy.

4.0 Application

This policy and procedures apply to all trial court employees, excluding SJO position

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5.0 Definitions

The terms defined below apply to this policy and are for the express purpose of interpreting this policy.

1. **Authorized Positions.** To meet workload demands, trial court positions are established by the Presiding Judge, or Court Executive Officer, if designated by the Presiding Judge. (Note: SJO positions were established by statute prior to January 1, 2001 and by the Judicial Council subsequent to January 1, 2001.) Each position will be assigned a full-time equivalent (FTE) value. Positions can be filled on a full-time, part-time, intermittent, limited-term, or temporary basis.
2. **Full-Time Equivalent (FTE).** Excluding overtime but including holidays and paid vacations, the FTE is the value that results from dividing the maximum amount of regular time a position is authorized to work in a fiscal year (July 1 – June 30) by the standard maximum annual time established by the court (typically 2,080 hours). For example, a position authorized to work no more than 1,040 regular hours in a fiscal year is assigned a FTE value of 0.5. Except for temporary help blankets, the FTE value for each position can equal but not exceed 1.0.
3. **Limited-Term Positions.** Limited-term positions are authorized positions in which the duration is established for a specific period of time and with a specified date of termination.
4. **Change in Position Authorization Form.** A form that is signed by the Presiding Judge, or Court Executive Officer, if designated by the Presiding Judge, and which is maintained by the court to document each change in position authorization. The document must identify the position that is being established, reclassified, or abolished, the annual cost of the position change, and verification by the chief fiscal officer of the court or CEO that sufficient funding or cash flows have been identified to support the position on an ongoing basis or until the limited-

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term position authorization has expired. The change in position authorization specified in the document will correspond to changes identified on the court's Quarterly Report of Changes of Authorized Positions (QCAP). (A copy of the form is provided in section 7.0, Associated Documents.)

5. **Position Roster.** The position roster is a list of all authorized positions, whether filled or vacant, which must be maintained by each court and which includes information such as: facility code, department or organizational unit code, position number, position classification number, position classification title, employee name (if filled), hourly rate, beginning monthly step, last monthly step, current salary, tenure status code (e.g., regular, limited-term, or temporary), time base code (e.g., full-time, part-time, or intermittent), hire date, appointment date, vacancy date, merit salary adjustment date, FTE, leave status, (e.g., workers comp, leave of absence, disability, etc.), exempt vs. non-exempt status, and bargaining unit. (A sample of the form is provided in section 7.0, Associated Documents.)
6. **Reclassification.** This is the result of changing a position's classification. An example would be reclassifying a clerk position to a senior clerk position.
7. **Subordinate Judicial Officer (SJO).** A person who is not a judge but is authorized to adjudicate legal cases. Examples of SJOs include commissioners, referees, and hearing officers.
8. **Workload Demands.** The measurement of increases and decreases of inputs or demands for work, and a common basis for projecting related budget needs for both established and new programs as determined by the local court. This approach is used to determine resources to be allocated based on measurable performance.

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6.0 Text

6.1 Trial Court Position Management System

1. The trial court will establish a position management system, which will include, at a minimum, the components listed below:
 - a. A position roster. The roster will be kept current and updated as changes occur.
 - b. A process for abolishing vacant positions. At least once a year, near the end of a fiscal year, the trial court will abolish vacant positions as specified in section 6.2.
 - c. Process and procedures for requesting, evaluating, and approving new positions and reclassified positions.

6.2 Abolishment of Continuously Vacant Positions or Vacant Positions that are Unfunded or are No Longer Needed Based on Workload

The following procedures will be followed during the annual process of abolishing vacant positions, to the extent that the court projects a total court position vacancy rate of over five percent in the current and following fiscal year.

1. Review the position roster and identify vacant positions that:
 - a. Have been vacant for an entire year and will not be filled during the next fiscal year;
 - b. Cannot be filled because of a lack of sufficient funding to support the cost of the position if it were filled; or
 - c. Will no longer be needed on a workload basis.

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2. Determine if positions identified in the review specified in section 6.2.1 should remain on the position roster due to special circumstances, including, but not limited to; positions that are hard to fill due to lack of qualified candidates, positions that are vacant because the incumbent employee is on a leave of absence, delays in recruitment or hiring, and other factors that have precluded the court from filling a position that the court intends to fill on an ongoing basis.
3. Any position identified in the review specified in section 6.2.1 and that does not qualify as being vacant due to special circumstances as described in section 6.2.2 will be abolished.

6.3 Written Authorization of New or Reclassified Positions

1. A written authorization for the establishment of a new position or the reclassification of a position must be approved and signed by the court Presiding Judge, or Court Executive Officer, if designated in writing, prior to recruiting for or filling a new position or an existing position at a new classification level. (A sample Change in Position Authorization Form that may be used as a template for developing a form specific to your court is provided in section 7.0, Associated Documents.) The form will contain the reason and justification for the position change, including workload need, the current year and ongoing cost impact that will result from the position change and verification from the court fiscal officer that sufficient funding is available or has been identified to support the position. All approved and signed forms will be stored in a single, central location in the court.

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6.4 Reporting Abolished, New, and Reclassified Positions to the AOC

1. Authorized positions listed on the position roster as of July 1 in a fiscal year will be reported in the Schedule 7A for the same fiscal year.
2. New positions will be reported in the QCAP of the current fiscal year as an added position and then reported in the Schedule 7A of the subsequent fiscal year.
3. Abolished positions will be reported in the QCAP of the current fiscal year as a deleted position and will not be reported in the Schedule 7A of the subsequent fiscal year.
4. Reclassified positions will be reported in the QCAP of the current fiscal year. The reclassified position will be reported as an added position and the old position will be reported as a deleted position. The net change to total position FTEs should be zero. Only the reclassified positions will be reported in the Schedule 7A of the subsequent fiscal year.

7.0 Associated Documents

Sample Quarterly Report of Changes of Authorized Positions (QCAP)

Sample Position Roster

Sample Change in Position Authorization Form

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SAMPLE FY 2004-05 Quarterly Report of Changes of Authorized Positions
Changes to total authorized positions identified in the Schedule 7A
Additions, Deletions and Reclassifications
Fourth Quarter

Trial Court Position Title (position title used by court)	Trial Court Model Classification Number	Position Number (if applicable)	Positions	Reclass (R)	Quarter	Date of Change	Current Year Total Salary Impact	Ongoing Full Year Salary Impact	Funding Source*	PECT	How Funded? **	Reason/justification for change
Supervising Court Clerk	201c	1234abcd	1.00		2	10/1/2003	60,000	80,000	Trial Court Trust Fund	10 20 020 000	Funded by reduction in other Supervising Court Clerks' overtime and contract savings	Additional supervisor position needed to support growth in clerk positions
Commissioner	214	9876zyxw	-1.00		2	11/1/2003	(66,667)	(100,000)	Trial Court Trust Fund	10 10 000 000		Position was abolished due to budget cuts and decreased workload
Senior Court Clerk	201b	5678efgh	-0.50	R	2	12/1/2003	(14,583)	(25,000)	Non-Trial Court Trust Fund	10 20 010 020	N/A, position downgrade	Position downgraded based upon an evaluation of the level of work performed
Court Clerk	201a	5678abcd	0.50	R	2	12/1/2003	10,208	17,500	Non-Trial Court Trust Fund	10 20 010 020	N/A, position downgrade	Position downgraded based upon an evaluation of the level of work performed
Total			0.00				(11,042)	(27,500)				
For reclassification, list previous position with negative FTE and \$ impact and then add reclassified position directly below.												
*Trial Court Trust Fund, Improvement Fund, Modernization Fund, Grants, etc.												
**Indicate whether new funding or specific items reduced to offset the additional costs (e.g., reduction in other positions held vacant or reduction in operating expenses). Applies only to positions being added.												

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Agency Code #	Facility Code #	Organizational Unit	Position #	Model Class Number	Class Code #	Classification Title	Employee Name (Last, First or Vacant)	Hourly Rate	Beginning Step (Monthly)	Last Step (Monthly)	Current Salary (Annual)	Tenure (see note a)	Timebase (see note b)	Hire Date	Appoint-ment End Date	Date Vacant	MSA Date	FTE	Leave Status (see note c)	FLSA (see note d)	Bargaining Unit #
904	TC1000	Court Support	202560	104	3369	Court Services Manager I	Vacant	\$30.76	\$3,516	\$4,443	\$63,981	R	FT			1/1/05	1/1/05	1.0	E		C1
904	TC1000	Court Support	202847	201c	3368	Court Supervisor	Geronimo, Kim	\$22.81	\$3,516	\$4,443	\$47,445	LT	FT	1/1/03	1/1/05		1/1/05	1.0	E		C2
904	TC3000	Court Support	202855	202a	3415	Legal Process Clerk II	Attkott, Neil	\$9.47	\$2,701	\$3,416	\$19,698	R	FT	3/1/02	3/1/05		3/1/05	1.0	E		D1
904	TC2000	Court Support	202856	202a	3415	Legal Process Clerk II	Simmons, Kelly	\$21.11	\$2,801	\$3,659	\$43,905	R	PT	1/1/01	1/1/05		1/1/05	1.0	E		D1
904	TC4000	Court Support	202863	202a	3415	Legal Process Clerk III	Clarkson, Frank	\$16.83	\$2,701	\$3,416	\$35,006	R	FT	2/1/00	2/1/05		2/1/05	1.0	E		D1
904	TC2000	Court Support	202867	202a	3415	Legal Process Clerk III/DF	Faustino, Sylvia	\$21.61	\$2,891	\$3,659	\$44,949	R	FT	1/1/04	1/1/05		1/1/05	1.0	E		D1
904	TC3000	Court Support	202868	203a	3441	Courtroom Clerk II	Harvey, Jeff	\$18.03	\$3,056	\$3,865	\$35,493	R	PT	5/20/02	5/20/05		5/20/05	0.5	E		D2
904	TC2000	Court Support	202870	203a	3441	Courtroom Clerk II	Harvey, Joanne	\$22.30	\$3,468	\$3,865	\$46,334	R	PT	5/11/03	5/11/05		5/11/05	0.5	E		D2
904	TC4000	Court Support	222222	203a	3441	Courtroom Clerk II	Vacant	\$22.30	\$3,056	\$3,865	\$46,334	R	PT	2/20/04	1/1/10		1/1/10	1.0	E		D2
904	TC2000	Court Support	233333	203a	3441	Courtroom Clerk II	Reynolds, Louise	\$22.30	\$3,056	\$3,865	\$46,334	R	PT	1/28/03	1/28/05		1/28/05	1.0	E		D2
904	TC3000	Court Support	202852	203a	3441	Courtroom Clerk	Reynolds, Rayne	\$22.30	\$3,056	\$3,865	\$46,334	R	FT	2/20/03	12/20/05		12/20/05	1.0	E		D2
904	TC2000	Court Support	202732	203a	3441	Courtroom Clerk	Lyons, Lindsey	\$23.45	\$3,203	\$4,285	\$48,820	R	PT	5/5/04	5/5/05		5/5/05	1.0	E		D3
904	TC4000	Court Support	202109	203a	3441	Courtroom Clerk	Mike, Sal	\$23.45	\$3,203	\$4,285	\$48,820	R	PT	5/5/04	5/5/05		5/5/05	1.0	E		D3
904	TC2000	Court Support	202110	203a	3444	Court Supervisor	Morad, Drew	\$25.45	\$3,516	\$4,443	\$53,310	R	FT	10/28/02	10/28/05		10/28/05	1.0	E		D4
904	TC3000	Court Support	202110	205a	3145	Court Reporter	McAr, Mohammad	\$32.42	\$5,671	\$5,671	\$68,058	R	FT	6/11/00	6/11/05		6/11/05	1.0	E		C1
904	TC3000	Court Support	202112	205a	3145	Court Reporter	McAr, Carlos	\$32.42	\$5,671	\$5,671	\$68,058	R	FT	1/12/03	1/12/05		1/12/05	1.0	E		C1
904	TC3000	Court Support	202113	205a	3143	Court Reporter	Hulk, Tula	\$32.72	\$5,671	\$5,671	\$68,058	R	FT	8/19/02	8/19/05		8/19/05	1.0	E		C1
904	TC2000	Court Support	202114	205a	3143	Court Reporter	Vacant	\$32.72	\$5,671	\$5,671	\$68,058	R	FT		12/1/04		12/1/04	1.0	E		C1
904	TC3000	Court Support	202117	205a	3143	Court Reporter	Oppotto, Kathryn	\$32.72	\$5,671	\$5,671	\$68,058	R	FT	6/22/03	6/22/05		6/22/05	1.0	E		C1
904	TC3000	Court Support	202118	205a	3142	Court Reporter/DF	Leventis, Bill	\$33.70	\$5,671	\$5,671	\$75,100	R	FT	1/20/99	1/20/05		1/20/05	1.0	E		C1
904	TC2000	Court Support	202713	205c	3145	Supervising Court Reporter	Haas, Ronald	\$36.08	\$6,252	\$6,252	\$75,056	R	FT	1/7/04	1/7/05		1/7/05	1.0	E		C2
904	TC3000	Court Support	202713	210a	3138	Judicial Aft III	Toma, Allison	\$51.61	\$7,075	\$8,948	\$107,345	R	FT	6/21/04	6/21/05		6/21/05	1.0	E		E1
904	TC1000	Court Support	202713	210a	3138	Judicial Aft III	McKinnon, Rayna	\$51.61	\$7,075	\$8,948	\$107,345	R	FT	6/30/01	6/30/05		6/30/05	1.0	E		E1
904	TC1000	Court Support	202733	214	3137	Court Commissioner	Syracuse, Jessica	\$58.78	\$9,422	\$9,422	\$122,262	J	FT	1/1/00	1/1/05		1/1/05	1.0	E		E2
904	TC1000	Court Support	202028	215	3369	Traffic Referee	Taylor, Michael	\$44.95	\$7,791	\$7,791	\$93,495	J	PT	1/20/00			1/20/05	1.0	E		E01
Total											\$1,546,662							24.0			

Note (a) Tenure: R = Regular: individual authorized position with an unspecified duration
LT = Limited Term: individual authorized position with a specified duration.
T = Temporary: unauthorized position to fill vacant authorized positions involving fluctuating staff or workload.
Temporary do not include Agency temp. help or independent contractors/consultants
J = Judicial: individual authorized position for judicial appointments

Note (b) Timebase: FT = Full Time; PT = Part Time; INT = Intermittent (no estab.work sched., works as needed, hours must not exceed 1500 hrs/yr)

Note (c) Leave Status: LOA = Leave of Absence, WC = Workers Comp., SDI = State Disability Insurance

Note (d) FLSA: Fair Labor Standards Act
E = Exempt from earning overtime compensation
N = Non-Exempt employees eligible to be paid from overtime work in accordance with applicable wage and hour laws.

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SAMPLE CHANGE IN POSITION AUTHORIZATION FORM																											
ACTION EFFECTIVE DATE: _____		COURT/ DIVISION: _____																									
CONTACT PERSON: _____		PHONE: _____	EMAIL: _____																								
<p>A. Action Requested (Check all that apply)</p> <p><small>* Requires Written Justification</small></p> <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <p>ESTABLISHMENT OF POSITION</p> <p><input type="checkbox"/> Permanent*</p> <p><input type="checkbox"/> Limited-Term*</p> <p>End Date: _____</p> <p><input type="checkbox"/> Extra Help - Temporary*</p> <p><input type="checkbox"/> ABOLISHMENT OF POSITION</p> </div> <div style="width: 45%;"> <p>CHANGES TO POSITION</p> <div style="display: flex;"> <div style="width: 20px; text-align: center;"> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> </div> <div> <p>Time Base Change*</p> <p>Reporting Unit*</p> <p>Reclassification*</p> <p>Location Change</p> <p>Other*</p> <p>Explain: _____</p> </div> </div> </div> </div>	<p>B. Enter Requested Information</p> <table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 60%;"></th> <th style="width: 20%; text-align: center; border-bottom: 1px solid black;">Current Position</th> <th style="width: 20%; text-align: center; border-bottom: 1px solid black;">New Position</th> </tr> </thead> <tbody> <tr> <td>POSITION TIME BASE (FTE)</td> <td>_____</td> <td>_____</td> </tr> <tr> <td>REPORTING UNIT NUMBER</td> <td>_____</td> <td>_____</td> </tr> <tr> <td>POSITION CLASSIFICATION CODE / TITLE</td> <td>_____</td> <td>_____</td> </tr> <tr> <td>LOCATION</td> <td>_____</td> <td>_____</td> </tr> <tr> <td>OTHER:(explain below)</td> <td>_____</td> <td>_____</td> </tr> <tr> <td>_____</td> <td>_____</td> <td>_____</td> </tr> <tr> <td>_____</td> <td>_____</td> <td>_____</td> </tr> </tbody> </table>				Current Position	New Position	POSITION TIME BASE (FTE)	_____	_____	REPORTING UNIT NUMBER	_____	_____	POSITION CLASSIFICATION CODE / TITLE	_____	_____	LOCATION	_____	_____	OTHER:(explain below)	_____	_____	_____	_____	_____	_____	_____	_____
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OTHER:(explain below)	_____	_____																									
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Remarks/Comments (Please attach any additional remarks/comments) :																											
<p>C. Funding for Requested Action.</p> <table style="width: 100%;"> <tr> <td style="width: 20%; text-align: center;"><u>Current Year Fiscal Impact</u></td> <td style="width: 20%; text-align: center;"><u>Ongoing Annual Fiscal Impact</u></td> <td style="width: 60%;"></td> </tr> <tr> <td style="border-bottom: 1px solid black;"></td> <td style="border-bottom: 1px solid black;"></td> <td style="border-bottom: 1px solid black;">Funding Source : _____</td> </tr> </table> <p>CERTIFICATION OF AVAILABILITY OF FUNDS</p> <p>BUDGET OFFICER : _____</p> <p style="text-align: center; margin-left: 200px;">signature/date</p>		<u>Current Year Fiscal Impact</u>	<u>Ongoing Annual Fiscal Impact</u>				Funding Source : _____	<p>For Position Reclassifications or Time Base Changes</p> <p><small>** includes Salary and Benefits</small></p> <table style="width: 100%;"> <tr> <td style="width: 50%; text-align: center;"><u>Current Position</u></td> <td style="width: 50%; text-align: center;"><u>New Position</u></td> </tr> <tr> <td style="text-align: center;">Personal Salary Cost**</td> <td style="text-align: center;">Personal Salary Cost**</td> </tr> <tr> <td style="text-align: center; border: 1px solid black;">\$0</td> <td style="text-align: center; border: 1px solid black;">\$0</td> </tr> </table> <table style="width: 100%;"> <tr> <td style="width: 50%; text-align: center;"> <p>Per Pay Period</p> <p>Per Month <input type="checkbox"/></p> <p>Per Semi-Monthly <input type="checkbox"/></p> <p>Per Bi-weekly <input type="checkbox"/></p> <p>Per Week <input type="checkbox"/></p> <p>Per Day <input type="checkbox"/></p> <p>Per Hour <input type="checkbox"/></p> </td> <td style="width: 50%; text-align: center;"> <p>Per Pay Period</p> <p>Per Month <input type="checkbox"/></p> <p>Per Semi-Monthly <input type="checkbox"/></p> <p>Per Bi-weekly <input type="checkbox"/></p> <p>Per Week <input type="checkbox"/></p> <p>Per Day <input type="checkbox"/></p> <p>Per Hour <input type="checkbox"/></p> </td> </tr> </table>		<u>Current Position</u>	<u>New Position</u>	Personal Salary Cost**	Personal Salary Cost**	\$0	\$0	<p>Per Pay Period</p> <p>Per Month <input type="checkbox"/></p> <p>Per Semi-Monthly <input type="checkbox"/></p> <p>Per Bi-weekly <input type="checkbox"/></p> <p>Per Week <input type="checkbox"/></p> <p>Per Day <input type="checkbox"/></p> <p>Per Hour <input type="checkbox"/></p>	<p>Per Pay Period</p> <p>Per Month <input type="checkbox"/></p> <p>Per Semi-Monthly <input type="checkbox"/></p> <p>Per Bi-weekly <input type="checkbox"/></p> <p>Per Week <input type="checkbox"/></p> <p>Per Day <input type="checkbox"/></p> <p>Per Hour <input type="checkbox"/></p>										
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<div style="display: flex; justify-content: space-between;"> <div style="width: 30%;"> <p>UNIT MANAGER : _____</p> <p style="text-align: center; margin-left: 100px;">signature/date</p> </div> <div style="width: 30%;"> <p>_____</p> <p style="text-align: center; margin-left: 100px;">signature/date</p> </div> <div style="width: 30%;"> <p>_____</p> <p style="text-align: center; margin-left: 100px;">signature/date</p> </div> <div style="width: 30%;"> <p>_____</p> <p style="text-align: center; margin-left: 100px;">signature/date</p> </div> </div> <div style="display: flex; justify-content: space-between; margin-top: 10px;"> <div style="width: 30%;"> <p>comments</p> <p>_____</p> </div> <div style="width: 30%;"> <p>comments</p> <p>_____</p> </div> <div style="width: 30%;"> <p>comments</p> <p>_____</p> </div> <div style="width: 30%;"> <p>comments</p> <p>_____</p> </div> </div>																											